
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Comcast of New Mexico, Inc.)	File No. EB-11-SD-0162
)	
Physical System ID No. 007322)	
Community Unit ID No. NM0036)	NOV No. V201132940006
Albuquerque, New Mexico)	
)	

NOTICE OF VIOLATION

Released: September 7, 2011

By the Resident Agent, San Diego Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Comcast of New Mexico, Inc. ("Comcast"), operator of a cable system in Albuquerque, New Mexico.

2. On August 16, 2011, an agent of the Enforcement Bureau's San Diego Office inspected the Comcast system located at Albuquerque, New Mexico, and observed the following violation:

47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in § 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz – 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, the agent observed leakage on the frequency of 133.2625 MHz at the following location:

- 1) In front of Hilton hotel, 1901 University Blvd. NE, Albuquerque, NM 87102 – 65 uV/m.
- 2) On the side of Motel 6, 1701 University Blvd. NE, Albuquerque, NM 87102, 70 uV/m.

¹ 47 C.F.R. § 1.89.

Federal Communications Commission

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Comcast must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Comcast. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
San Diego Office
4542 Ruffner Street, Suite 370
San Diego, CA 92111

4. This Notice shall be sent to Comcast of New Mexico, Inc., at its address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

James T. Lyon
District Director
San Diego Office
Western Region
Enforcement Bureau

² 47 U.S.C. § 403.

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*